

HEARING DATE: November 2, 2016
TIME: 12:00 p.m.

TO: Zoning Administrator
FROM: Development Review Committee
DATE: October 17, 2016
SUBJECT: PLN16-00291 CURTIS SETBACK VARIANCE

GENERAL PLAN: Placer County General Plan

GENERAL PLAN DESIGNATION: Medium Density Residential, 3,500 – 10,000 Square Feet Minimum

ZONING: RS-B-X-6,500 (Single Family Residential, Combining Minimum Building Site of 6,500 Square Feet)

ASSESSOR'S PARCEL NUMBER: 069-410-019-000

STAFF PLANNER: Joey Scarbrough, Assistant Planner

LOCATION: The project site is located at 3012 Serene Road, approximately 1.5 miles south of Donner Pass Road in Soda Springs/Serene Lakes

OWNER/APPLICANTS: Mary Curtis

PROPOSAL:

The applicant is requesting approval of a Variance to allow an approximately 122 square foot covered deck above a garage and driveway to be located 22.9 feet from the front property line where 30 feet would normally be required. The covered deck is intended to protect the area directly in front of the overhead garage door from snowfall.

BACKGROUND/ANALYSIS:

Staff conducted a field review of the site on October 7, 2016. The 0.21-acre parcel is currently developed with a single family residence (cabin) and is bound to the west by Serene Road. The subject parcel is located in the Serene Lakes subdivision which was created in May of 1967. The subject property and the adjacent properties to the north, south and west are zoned RS-B-X 6,500 Square Foot Minimum (Single Family Residential, Combining Minimum Building Site of 6,500 Square Feet) and range in size from 0.19 acres to 0.33 acres. The vast majority of surrounding properties are also developed with residential structures.

The site is a lakefront parcel with nearly a quarter of the parcel encumbered by the required 50- foot setback from the high water mark of Serene Lakes. Furthermore, the first 30 feet of the parcel is a snow

Planning Services Division

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storage easement and is effectively the required building setback from the front property line, which equates closely to another quarter of the parcel. The existing residence is currently being remodeled under a separate building permit.

Variance

As previously described, the parcel is located directly adjacent to Serene Lakes which has a required 50-foot setback from the high water mark of Serene Lakes. In addition to the high water mark setback, there is also a “greenbelt area” shown on the recorded map which does not allow for residential development within it as well. These two restrictions effectively eliminate any potential development within rear portion (eastern portion) of the parcel.

The applicant is requesting a reduction of the front yard setback for a covered deck which will be attached to a newly constructed garage. The front setback for the parcel is 30 feet from the property line due to the 30-foot wide snow storage easement. The applicants propose to encroach 8 feet within the 30-foot setback (22.9 feet to the eave of the covered deck). The applicants request this variance so that the covered deck would provide protection from snowfall within the areas of the garage door and driveway due to the amount of snow Serene Lakes receives during typical winter seasons.

Staff determined that a 22.9-foot front setback for the edge of the covered deck would be a minimum departure from the standard of 30 feet. Many of the parcels within this subdivision are small in size, and many homes along Serene Road, as well as within the Serene Lakes subdivision, have been constructed at a reduced front setback similar to the proposed project. Therefore, the proposed development would be consistent with the surrounding development.

The small parcel size limits the buildable area of the parcel. Additionally, due to both the rear yard limitations and the front yard setback, approximately half of the parcel does not provide the ability for development. Though the covered deck will be within the front yard setback, the development will be consistent with the existing development in the Serene Lakes subdivision, as surrounding homes have also been constructed within the front setback. The Engineering and Surveying Division has conditioned the project requiring that the applicant obtain an encroachment permit from the Department of Public Works and Facilities for the portion of the structure that will be within the 30-foot snow storage easement prior to issuance of a building permit for the work within the easement. The encroachment permit shall be in recordable form and hold Placer County harmless from any damages resulting to the structure.

CEQA COMPLIANCE:

The project is categorically exempt from environmental review pursuant to the provisions of Section 15305 of the California Environmental Quality Act Guidelines and Section 18.36.070 of the Placer County Environmental Review Ordinance (Class 5 – Minor Alterations to Land Use Limitations). The Zoning Administrator will be required to make a finding to this effect.

RECOMMENDATION:

The Development Review Committee recommends that the Zoning Administrator **approve** this Variance request (PLN16-00291) based upon the following findings and subject to the recommended conditions of approval.

FINDINGS:**CEQA**

The project is categorically exempt from environmental review pursuant to the provisions of Section 15305 of the California Environmental Quality Act Guidelines and Section 18.36.070 of the Placer County Environmental Review Ordinance (Minor Alterations to Land Use Limitations).

VARIANCE

1. There are special circumstances applicable to the existing use of this property including the small size of the parcel, the topography and the proximity to a lake, and because of such circumstances, the strict application of Chapter 17.06.060 (Zone District Regulations), Placer County Code, would deprive the property of privileges enjoyed by other property in the vicinity and under identical zoning classification. These listed conditions create special circumstances applicable to the subject property which would otherwise warrant the Variance requested.
2. The Variance authorized does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and in the same zone district in that single-family residences and garages are allowable structures in the Residential Single Family zone district.
3. The granting of this Variance does not authorize a use that is not allowed in the Residential Single Family zone district and the use will be compatible with other uses in this location.
4. The granting of this Variance does not, under the circumstances and conditions applied in this particular case, adversely affect public health or safety, is not materially detrimental to the public welfare, nor injurious to the nearby property or improvements in that the proposed residence and garage will not encroach over other property lines and will be consistent with the existing development. These factors ensure that the granting of the Variance will not create detriment to the public or general welfare of neighboring residences or residents.
5. The Variance is consistent with the intent of the Placer County General Plan in that residences and garages are an allowable structure in the Residential Single Family zone district.
6. The Variance is the minimum departure from the applicable requirements of Section 17.50.010: Residential Single-Family Zone.

RECOMMENDED CONDITIONS OF APPROVAL:

1. This Variance (PLN16-00291) authorizes the construction of a covered deck attached to a newly constructed garage on APN 069-410-019-000. The Variance authorizes the structure to be constructed 22.9 feet from the front property line (measured to the eave) where 30 feet would normally be required.
2. Prior to Building Permit issuance, the applicant shall obtain from the Department of Public Works and Facilities (DPWF) an encroachment permit for the portion of the structure located within the 30-foot Snow Storage Easement. Said permit shall be in recordable form and hold Placer County harmless from any damage resulting to the structure.
3. The applicant shall defend, indemnify, and hold harmless the County of Placer, the County Board of Supervisors, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorney's fees awarded in any proceeding brought in any State or Federal court,

challenging the County's approval of that certain Project known as the Curtis Variance (PLN16-00291) shall, upon written request of the County pay, or at the County's option reimburse the County for, all reasonable costs for defense of any such action and preparation of an administrative record, including the County staff time, costs of transcription and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon written request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provisions of this condition.

4. This Variance (PLN16-00291) shall expire on November 2, 2018, unless previously exercised with issuance of a building permit for the residence and garage and completion of a foundation inspection. (PLN)

ATTACHMENTS:

Attachment A – Engineering and Surveying Memo
Attachment B – Environmental Health Memo
Attachment C – Site Plans
Attachment D – Photos

cc: Ed Staniforth- Engineering and Surveying Division
Justin Hansen - Environmental Health Services
Mary Curtis – Property Owner and Applicant

MEMORANDUM

TO: Joseph Scarbrough, Planning Services Division

FROM: Ed Staniforth, Engineering and Surveying Division

SUBJECT: PLN16-00291; Front Setback Variance; 3012 Serene Road, Serene Lakes; Mary Curtis; (APN: 069-410-019)

DATE: September 22, 2016

The applicant is requesting approval to construct a covered deck within the 30' front setback from Serene Road, which is a County-maintained road. The proposed structure would be located approximately 22' from the front property line and approximately 35' from the edge of pavement of the existing road. The Engineering and Surveying Division (ESD) **supports** the Development Review Committee's recommendation for this application, subject to the following recommended conditions of approval:

1. Prior to Building Permit issuance, the applicant shall obtain from the Department of Public Works and Facilities (DPWF) an encroachment permit for the portion of the structure located within the 30' Snow Storage Easement. Said permit shall be in recordable form and hold Placer County harmless from any damage resulting to the structure.



Placer County Health and Human Services Department

Jeffrey S. Brown, M.P.H., M.S.W.
Department Director

Wesley G. Nicks, R.E.H.S.
Environmental Health, Director

MEMORANDUM

DEPARTMENT OF HEALTH & HUMAN SERVICES ENVIRONMENTAL HEALTH SERVICES

To: Zoning Administrator

From: Justin Hansen, REHS
Land Use and Water Resources Section

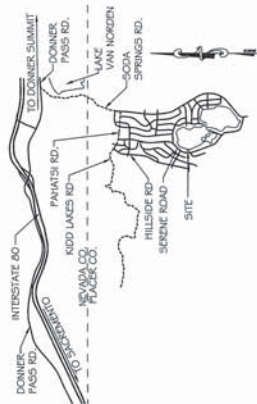
Date: September 23, 2016

Subject: PLN 16-00291, Curtis Variance, APN 069-410-018

Environmental Health Services has reviewed the above mentioned application and has no comments or recommended conditions of approval.

Perspective, Hope, and Opportunity

VICINITY MAP



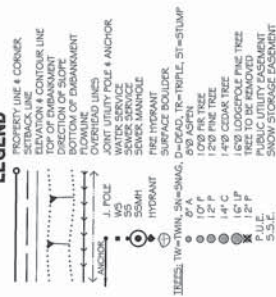
COVERAGE CALCULATIONS

LOT AREA	3,138 FT ²
ALLOWABLE COVERAGE @ 35%	3,198 FT ²
EXISTING ONSITE COVERAGE	640 FT ²
TOTAL EXISTING ONSITE COVERAGE	640 FT ² (9.1%)
PROPOSED ONSITE COVERAGE	1,468 FT ²
TOTAL PROPOSED ONSITE COVERAGE	1,468 FT ² (16.2%)

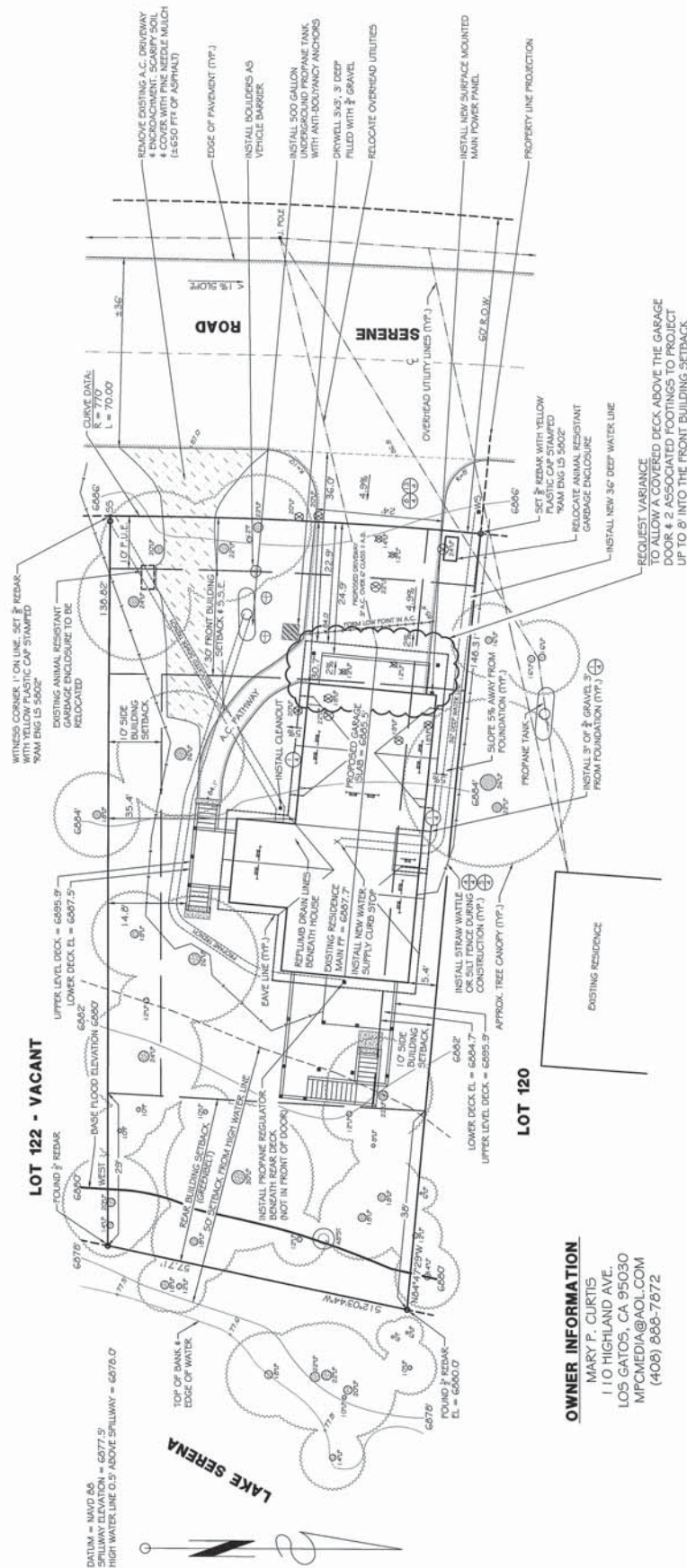
ENGINEER'S NOTES

1. BEARING & DISTANCES ARE TAKEN FROM RECORD INFORMATION.
2. DISTANCES ARE ACCURATE TO ± 1". ELEVATIONS ARE ACCURATE TO ONE HALF THE CONTOUR INTERVAL.
3. EASEMENTS, BUILDING SETBACKS, & CRITICAL FEATURES SHOULD BE VERIFIED PRIOR TO DESIGN.
4. SURVEY DATE: OCTOBER 30, 2015
5. VERTICAL DATUM: SERENA LAKES WATER DISTRICT SPILLWAY & DAILY WATER LEVEL MEASUREMENTS

LEGEND



LOT 122 - VACANT



OWNER INFORMATION

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LOS GATOS, CA 95030
MPCMEDIA@AOL.COM
(408) 888-7872

DENNIS DODDS & ASSOCIATES, INC.
CIVIL ENGINEERING DESIGN CONSULTANTS
10049 MARTIN VALLEY ROAD, SUITE D
TRUCKEE, CA 96161, 530-952-1389



MARY CURTIS
SITE PLAN FOR
LOT 121, SERENE LAKES NO. 1
3012 SERENE ROAD
APN 069-410-019

DATE: 4/2/16
SCALE: 1"=10'
SHEET: 3



